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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA ,

9 Plaintiff,

10 v.

11 DAVID A. LITWIN,

12 Defendant.

2:11-CR-347-KJD-CWH

Final Order of Forfeiture

13 The United States District Court for the District of Nevada entered an Amended
14 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); 18 U.S.C. §
15 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1) and (a)(2); 21 U.S.C. §
16 881(a)(6) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p), based upon the jury verdict
17 finding David A. Litwin guilty of the criminal offenses, forfeiting specific property and
18 imposing an in personam criminal forfeiture money judgment set forth in the Forfeiture
19 Allegation of the Superseding Criminal Indictment and shown by the United States to have
20 the requisite nexus to the offenses to which David A. Litwin was found guilty. Superseding
21 Criminal Indictment, ECF No. 179; Jury Verdict, ECF No. 456; Minutes of Jury Trial, ECF
22 No. 473; Amended Preliminary Order of Forfeiture, ECF No. 702.

23 This Court finds that the United States of America may amend this order at any time
24 to add subsequently located property or substitute property to the forfeiture order pursuant
25 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

26 The in personam criminal forfeiture money judgment amount of \$284,704 complies
27 with *Honeycutt v. United States*, ___U.S.___, 137 S. Ct. 1626 (2017).

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1 This Court finds the United States of America published the notice of forfeiture in
2 accordance with the law via the official government internet forfeiture site,
3 www.forfeiture.gov, consecutively from July 20, 2018, through August 18, 2018, notifying
4 all potential third parties of their right to petition the Court. Notice of Filing Proof of
5 Publication, ECF No. 713.

6 This Court finds the United States of America notified known third parties by
7 personal service, or by regular mail and certified mail return receipt requested, of their right
8 to petition the Court. Notice of Filing Service of Process – Personal Service, ECF No. 722.

9 On August 24, 2018, the Internal Revenue Service personally served Elsa Arellano
10 Litwin at 7412 Flat Rock Street, Las Vegas, Nevada 89131 with the Notice, the
11 Substitution and Forfeiture Order, and the Amended Preliminary Order of Forfeiture.
12 Notice of Filing Service of Process – Personal Service, ECF No. 722, p. 2-13.

13 On August 24, 2018, the Internal Revenue Service personally served Lisa
14 Rasmussen, Law Office of Lisa Rasmussen, at 601 South 10th Street, Suite 100, Las Vegas,
15 Nevada 89101 with the Notice, the Substitution and Forfeiture Order, and the Amended
16 Preliminary Order of Forfeiture. Notice of Filing Service of Process – Personal Service,
17 ECF No. 722, p. 14-25.

18 This Court finds no petition was filed herein by or on behalf of any person or entity
19 and the time for filing such petitions and claims has expired.

20 This Court finds no petitions are pending with regard to the property named herein
21 and the time for presenting such petitions has expired.

22 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
23 all possessory rights, ownership rights, and all rights, titles, and interests in the property
24 hereinafter described are condemned, forfeited, and vested in the United States of America:

- 25 1. \$99,900 in cash claimed from 24/7 Vaults; and
26 2. 53 1oz gold coins from the 24/7 Vaults;
27 (all of which constitutes property); and

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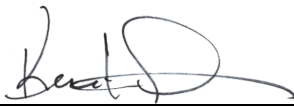
1 that the United States recover from David A. Litwin the in personam criminal
2 forfeiture money judgment of \$284,704, and that the property will be applied toward the
3 payment of the money judgment; and

4 the forfeiture of the money judgment and the property is imposed pursuant to Fed.
5 R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 981(a)(1)(C)
6 with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1) and (a)(2); 21 U.S.C. § 881(a)(6) with 28
7 U.S.C. § 2461(c); and 21 U.S.C. § 853(p) and (n)(7); that the money judgment shall be
8 collected; and that the property and the collected amount shall be disposed of according to
9 law.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all
11 forfeited funds, including but not limited to, currency, currency equivalents, certificates of
12 deposit, as well as any income derived as a result of the United States of America's
13 management of any property forfeited herein, and the proceeds from the sale of any
14 forfeited property shall be disposed of according to law.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk
16 send copies of this Order to all counsel of record and three certified copies to the United
17 States Attorney's Office, Attention Asset Forfeiture Unit.

18 DATED this 7th day of January, 2019.

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UNITED STATES DISTRICT JUDGE